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October 16, 1997

Mr. Michael L. Caldwell  
Fink Zausmer  
31700 Middlebelt Road, Suite 150  
Farmington Hills, Michigan 48334-2374

Re: Albion-Sheridan Township Landfill

Dear Mr. Caldwell:

Your letter of September 17, 1997 addressed to, among others, Ms. Ceil Price of Cooper Industries, and Mr. Richard Geiger of Corning, Inc. has been referred to me for a response. I have very recently been retained by Ms. Price and Mr. Geiger to represent the UAO cooperating parties in evaluation of their options regarding the noncooperating recipients of the UAO, including your client, Decker Manufacturing Company. In the future, please address all inquiries regarding this matter to me.

This letter is being sent to you at this time because (1) I have just been retained as group counsel; and (2) as you may know, Ms. Price has been out of the country for approximately two weeks.

My clients are always interested in exploring alternative methods of resolving disputes. However, given your client's long-standing intransigence to participate in complying with the terms of the UAO, we frankly view your offer of nonbinding Alternative Dispute Resolution with skepticism. My clients understand that the EPA has asserted a demand for cost reimbursement against only those two parties, including your client, that have not been complying with the UAO. That Decker is now reaping the reward for its conduct appears to

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Mr. Michael L. Caldwell  
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be underlying the proposal for nonbinding Alternative Dispute Resolution and not any genuine good-faith desire to finally begin complying with the terms of the UAO.

Nonetheless, I have been authorized to discuss this issue with you further, to determine the nature of your client's offer because my clients wish to avoid expensive litigation, if possible. If you wish to discuss this matter further, please do not hesitate to call me.

Sincerely,

Eugene E. Smary

EES/mkm

cc: Mr. Kurt Lindland, U.S.EPA Region V  
Ms. Ceil Price  
Mr. Richard Geiger

**Fink Zausmer**

A PROFESSIONAL CORPORATION

Cecil Price, Esq.  
Richard Geiger, Esq.  
Mark Davis, Esq.  
September 17, 1997  
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Decker believes that its contribution to the site, if any, does not justify any significant allocation of the USEPA's past costs, particularly in light of the costs Decker is incurring in complying with the UAO. Given the positions they took while discussing allocation of the UAO-related costs, Cooper and Corning feel otherwise. Presumably, the City believes it also has no significant liability at this site. The reality is, however, that all three companies and the City may soon be embroiled in expensive litigation trying to prove our respective cases. This seems like a needless waste of money.

After incurring significant legal fees performing discovery, the parties to this potential litigation would likely be required to undertake some form of Alternative Dispute Resolution, particularly given the emphasis the Western District Federal Court places on ADR. Decker believes that entering into non-binding ADR process with a neutral third party now, before incurring all of these litigation expenses, may help resolve the allocation disputes between the UAO recipients. Decker is open-minded regarding the form of the ADR process. But before going any further Decker requests that Cooper, Corning and the City indicate whether they would be interested in this process. Decker would appreciate receiving responses by early next week.

I look forward to hearing from you.

Very truly yours,

FINK ZAUSMER, P.C.



Michael L. Caldwell

MLC/kal